



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 7, 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Allen Haywood, Comptroller/Assistant Treasurer
McCain 2000
735 N. St. Asaph Street
Alexandria, VA 22314

RE: MUR 5184

Dear Mr. Haywood:

On March 21, 2001, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondent. See attached narrative. Accordingly, the Commission closed its file in this matter on July 31, 2001. This matter will become part of the public record within 30 days.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the typed name.

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment
Narrative

21-04-405-1857

MUR 5184

ATLANTIC LIST COMPANY, INC.

The Complainant, McCain 2000, Inc., alleges that several "unique" individuals who contributed to McCain 2000 Inc., received fundraising letters from the Republican National Committee ("RNC") and The Ayn Rand Institute ("Ayn Rand"). Therefore, the complainant asserts that Atlantic List Company ("Atlantic List") assembled its lists from the McCain 2000 reports and sold the lists for commercial purposes.

In its response to the complaint, the RNC indicated that it received the names from the Country Club Republicans and Great American Donor File list.

Ayn Rand responded that its list was compiled by the Republican Businessman Who Donate.

Atlantic List responded by submitting a copy of the letter it sent to the complainant in response to the complaint. Atlantic List stated in its letter to the complainant that because they were not provided with the specific names of the "unique" individuals who contributed they could not ascertain if and how the names appeared on their files. Atlantic List denied ever knowingly acquiring, maintaining, or leasing donors' records to other marketers that contained data previously submitted to the Federal Election Commission. Atlantic List further explained that it had received and processed orders on behalf of McCain 2000 from April 2000 through February 2001. Some orders were from the Great American Donor file, and specifically from Country Club Republicans or Republican Businessman Who Contribute. Atlantic List suggested that some of the contributors in question might have donated to Senator McCain's efforts in response to receiving one of the Atlantic List mailings.

This matter is less significant relative to other matters pending before the Commission.

2004-05-18 18:58